

Honorable Judge Marc L. Barreca  
Chapter 13  
Hearing Location: Seattle Courtroom 7206

IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN WASHINGTON DISTRICT OF WASHINGTON

IN RE

No.: 09-22120-MLB

SCOTT C TOWNLEY AND  
STEPHANIE TASHIRO-TOWNLEY,  
  
DEBTORS.

AFFIDAVIT OF RICHARD WILLIAMS IN  
SUPPORT OF THE BANK OF NEW YORK  
MELLON F/K/A THE BANK OF NEW  
YORK AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS CWABS, INC.  
ASSET-BACKED CERTIFICATES, SERIES  
2005-10 AND ITS SERVICING AGENT  
LITTON LOAN SERVICING LP'S MOTION  
FOR RELIEF FROM STAY

STATE OF TEXAS            )  
                                  ) ss.  
COUNTY OF HARRIS        )

I, RICHARD WILLIAMS the undersigned, being first duly sworn on oath deposes and says:

1. I am of legal age, not a party to the above captioned action, and competent to be a witness.

2. I am employed as a Vice President of Default Operations for Litton Loan Servicing LP  
(hereinafter "Litton") the loan servicing agent for The Bank of New York Mellon f/k/a The Bank of  
New York as Trustee for the Certificateholders CWABS, Inc. Asset-Backed Certificates, Series 2005-  
10 (hereinafter "The Bank of New York").

3. I am familiar with the process by which Litton maintains its loan records.

4. I am competent to review loan records and evaluate status based upon those records.

AFFIDAVIT OF RICHARD WILLIAMS IN  
SUPPORT OF THE BANK OF NEW YORK ...  
Page - 1

ROUTH CRABTREE OLSEN, P.S.  
3535 FACTORIA BLVD. SE, SUITE 200  
BELLEVUE, WA 98006  
TELEPHONE (425) 458-2121 ♦ FACSIMILE (425) 458-2131

1           5. I personally know that the records kept are in the course of regularly conducted business  
2 and are a matter of the business routine. Entries in the records are made at or near the time of the event  
3 recorded by or with information from a person with knowledge of the event recorded.

4           6. On July 26, 2005, the debtor executed and delivered a Promissory Note to Countrywide  
5 Home Loans, Inc. The Promissory Note represents the debtors' promise to pay \$297,000.00 to  
6 Countrywide Home Loans, Inc.  
7

8           7. The Bank of New York is the current investor on the loan. Countrywide Home Loans, Inc.  
9 indorsed the Promissory Note.

10          8. Countrywide Home Loans, Inc./Countrywide Home Servicing LP was the original loan  
11 servicer for the loan which is the subject of the motion for relief from stay. Attached hereto as Exhibit  
12 A is a true and correct copy of the first page of the Loan Servicing Agreement. The Loan Servicing  
13 Agreement is a public document and a full copy can be obtained from the following link on the internet.  
14

15           [http://www.sec.gov/Archives/edgar/data/1339239/000090514805005470/efc5-2303\\_5760434ex41.txt](http://www.sec.gov/Archives/edgar/data/1339239/000090514805005470/efc5-2303_5760434ex41.txt).

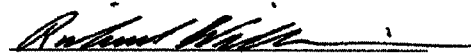
16          9. Litton is currently the loan servicer for the loan in question pursuant to a Special Sub-  
17 Servicing Agreement between Countrywide Home Loan, Inc./Countrywide Home Servicing. The  
18 Special Subservicing Agreement is a confidential agreement. A copy will be provided to the court upon  
19 request under a protection order requiring the document to be held under seal and not made accessible  
20 to the public. Pursuant to the Special Subservicing Agreement, Litton, as servicer for The Bank of  
21 New York, has the authority to act on behalf of The Bank of New York.  
22  
23  
24  
25

10. The Bank of New York and Litton, as its servicer, have the right to possess the original endorsed note and employ the use of a document custodian for safekeeping of the original loan file.

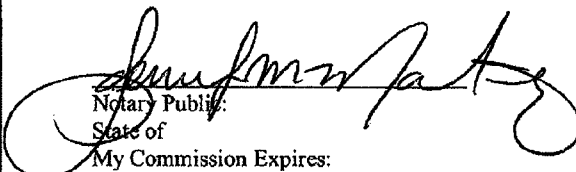
11. The original collateral file and original Promissory Note are currently being delivered by the document custodian to Litton's Collateral Management Department.

I DECLARE UNDER PENALTY OF PERJURY OF THE LAWS OF THE STATES OF WASHINGTON AND TEXAS THAT THE FOREGOING STATEMENT IS TRUE AND CORRECT.

Dated this 5<sup>th</sup> day of August, 2010.

  
Richard Williams  
Vice President of Default Operations  
Litton Loan Servicing LP

Executed this 5<sup>th</sup> day of August, 2010  
At Houston, TX  
Subscribed and Sworn before me this 5 day of Aug, 2010

  
Notary Public:  
State of  
My Commission Expires:

